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12  
 13 IN THE UNITED STATES DISTRICT COURT  
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 ENVIRONMENTAL DEFENSE ) Case No. C 05 2090 SC  
 16 )  
 17 Plaintiff, )  
 18 ) STIPULATED MOTION TO  
 19 v. ) CONTINUE CASE  
 20 ) MANAGEMENT CONFERENCE  
 21 )  
 22 ) ORDER  
 23 UNITED STATES ENVIRONMENTAL )  
 24 PROTECTION AGENCY, et al. )  
 25 )  
 26 Defendants. )  
 27 )  
 28 )

Plaintiff Environmental Defense and defendants United States Environmental  
 Protection Agency and Stephen L. Johnson, Administrator United States Environmental  
 Protection Agency, (collectively "EPA") jointly stipulate to this request to continue the  
 case management conference currently scheduled for December 9, 2005. The parties have  
 reached a possible settlement of this matter and are awaiting approval from the  
 appropriate officials of the Department of Justice and EPA. Accordingly, the parties  
 believe that there is no reason to have a case management conference at this time.

In the alternative, if the Court denies the request to continue the case management  
 conference, plaintiffs and EPA jointly request, pursuant to Local Rule 16-10(a), that the

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case management conference be conducted by telephone. EPA is represented by attorneys from the Department of Justice in Washington, D.C., and plaintiffs do not object to conducting the conference by telephone to save both parties the time and expense of travel.

Reed Zars, counsel for plaintiffs, will be available at (307) 745-7979 from 10:00 AM PST until the case management conference is complete. Norman Rave, counsel for defendants, will be available at (202) 616-7568 from 10:00 AM PST until the case management conference is complete.

Respectfully submitted,

SUE ELLEN WOOLDRIDGE  
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November 29, 2005